



Pierce County

Planning and Public Works

2401 South 35th Street, Room 2
Tacoma, Washington 98409-7460
piercecountywa.org/ppw

DENNIS HANBERG—Director
dhanber@co.pierce.wa.us

July 11, 2018

Electron Hydro, LLC
Attn: Thom Fischer
1800 James Street, Suite 201
Bellingham, WA 98225

RE: SD858766 Shoreline Substantial Development Permit

Dear Applicants:

Enclosed is a copy of the Shoreline Substantial Development Permit that was transmitted to the Department of Ecology and the State Attorney General's Office for review. You will be notified by the Department of Ecology of the expiration date of the review period. You may begin development upon the finalization of Department of Ecology approval.

Sincerely,

Andrew Van Gordon
Planner 2

AVG:ve
SD858766.ECY
Enclosure



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State Department of Ecology
Southwest Regional Office
Shoreline Permit Processing
PO Box 47775
Olympia, WA 98504-7775

Attn: Shoreline Management Permit Reviewer

Dear Permit Reviewer:

Enclosed herewith for your review, pursuant to the Shoreline Management Act of 1971, is the following Shoreline Substantial Development Permit case:

Case No.: SD858766 (858766, 858765)

Applicants: Electron Hydro, LLC

You will also find enclosed a copy of the action taken by the Pierce County Hearing Examiner on June 26, 2018.

A CD has been provided containing the Hearing Examiner Exhibits. The documents may also be seen under: <http://palsonline.co.pierce.wa.us/palsonline/permitinfo?applPermitId=858766>

Please notify the Pierce County Planning Department, 2401 S. 35th Street, Tacoma, WA 98409, at the end of the thirty (30) day review period, if the case should go before the Shoreline Review Board.

If you have any questions, please call me at (253) 798-7113.

Sincerely,

Andrew Van Gordon
Planner 2

AVG:ve
SD858766-ECY
Enclosures

c: Washington State Office of Attorney General
U.S. Department of the Army Corps of Engineers
Applicant



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July 11, 1018

Department of the Army Corps of Engineers, Seattle District
Regulatory Branch
PO Box 3755
Seattle, WA 98124

RE: SD858766
Shoreline Substantial Development Permit

To Whom It May Concern:

Enclosed please find your copy of the approved Shoreline Substantial Development Permit. Appropriate copies have also been forwarded to the Department of Ecology and the Attorney General's Office.

If you have any questions, please call me at (253) 798-7113.

Sincerely,

Andrew Van Gordon
Planner 2

AVG:ve
SD858766-ECY
Enclosures
c: Applicant



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Case No.: SD858766
Applicants: Electron Hydro, LLC

<u>Date</u>	<u>Development</u>
07/11/18	Shoreline Substantial Development Permit
06/26/18	Hearing Examiner Report and Decision
05/09/18	Staff Report for Hearing Examiner
05/04/18	Determination of Non-significance
	Photographs
03/27/17	Environmental Checklist
03/27/17	JARPA Application
04/10/17	Notice of Application with List of Property Owners
	Correspondence
	Affidavit of Posting
	Site Plan and Vicinity Maps

SD858766-ECY

Shoreline Management Act Permit Data Sheet and Transmittal Letter

From: Pierce County
Planning and Land Services
2401 South 35th Street
Tacoma, WA 98409

To: Shoreline Permit Review
Department of Ecology
PO Box 47775
Olympia, WA 98504-7775

Date of Transmittal: 07/11/18 Date of Receipt: _____

Type of Permit: (Indicate all that apply)

Substantial Development X; Conditional Use ____; Variance ____; Revision ____; Other ____.

Local Government Decision: Approval ____; Conditional Approval X; Denial ____.

Applicant information:

Applicant's Representative:

Electron Hydro, LLC
Attn: Thom Fischer
1800 James Street, Suite 201
Bellingham WA 98225

Same

Is the applicant the property owner? Yes X No ____.

Location of the Property: (Section Township and Range to the nearest ¼, ¼ Section or latitude and longitude, and a street address where available)

38400 Moose Junction Road East, 28400Grid of S3, T16N, R6E W.M.

Water Body Name: Puyallup River

Shoreline of Statewide Significance: Yes X No ____

Environmental Designation: Conservancy

Description of the Project: (Summary of the intended use of project purpose)

The applicants propose to repair a wooden diversion apron structure, replace a spillway, and reinforce the existing shoreline protection. The facilities are located along the Puyallup River located at 38400 Moose Junction Road East, 38400 Grid of S3, T16N, R6E, within the Conservancy Shoreline Environment and Rural 20 (R20) zone classification, within Section 3, T16N, R06E, W.M., in Council District #3.

Notice of Application Date: 04/10/17 Final Decision Date 06/26/18

By: Andrew Van Gordon Phone: 253/798-7113
(Local government primary contact on this application)

[Statutory Authority: RCW 90.58.140(3) and [90.58].200. 96-20-075 (order 95-17), § 173-27-990, filed 9/30/96, effective 10/31/96.]

The following master program provisions are applicable to this development:

Shoreline Master Program
Rural Residential Environment
General Regulations

Development pursuant to this permit shall be undertaken pursuant to the following terms and conditions:

The applicants have shown that the proposal complies with all elements of the SMP and the PCC, and is hereby approved subject to the following conditions:.

The applicant shall comply with all local, state, and federal regulations and requirements. It is the sole responsibility of the applicant to contact all applicable jurisdictions and secure any and all other permits required for the proposed project.

Should archeological materials or human remains be observed, work shall stop and the State Department of Archeology and Historic Preservation, County Planning Department, affected Tribes and County Coroner (if applicable), shall be contacted immediately. See the "Inadvertent Archeological and Historic Resources Discovery Plan" at the end of the Staff Report.

The approval is subject to timelines in WAC 173-27-090.

The decisions set forth herein are based upon representations made and exhibits, including plans and proposals submitted at the Hearing conducted by the Examiner. Pursuant to WAC 173-27-100, any substantial change to the designs, terms or conditions of the project shall be subject to the approval of the Examiner and may require further additional hearings.

Construction shall be timed to avoid major fish migratory runs.

The proposal shall adhere to any applicable State Board of Health Public Water Supply rules and regulations.

All site development work must be in compliance with Pierce County Stormwater and Site Development Manual Ordinance 2015-48s.

All work in the flood hazard area must be in compliance with the applicable sections of Title 18E.70.

The applicant shall record a Notice of Title informing of the presence of regulated Fish and Wildlife Species and Habitat Conservation Areas (Federally and State listed species, Waters of the State, White River Elk herd winter range).

The applicant shall coordinate with the Washington Department of Fish and Wildlife and the Puyallup Tribe to ensure the potential for fish stranding is minimized to the degree possible.

The Tribe biologist shall be allowed to view/participate in all fish handling and transportation with 72 hours notice by the Tribe.

This permit is granted pursuant to the Shoreline Management Act of 1971 and nothing in this permit shall excuse the applicant from compliance with any other federal, state, or local statutes, ordinances, or regulations applicable to this project, but not inconsistent with the Shoreline Management Act (Chapter 90.58 RCW).

This permit may be rescinded pursuant to RCW 90.58 140(8) in the event the permittee fails to comply with the terms of conditions hereof

CONSTRUCTION PURSUANT TO THIS PERMIT WILL NOT BEGIN OR IS NOT AUTHORIZED UNTIL TWENTY ONE (21) DAYS FROM THE DATE OF FILING ORDER OF THE LOCAL GOVERNMENT WITH THE REGIONAL OFFICE OF THE DEPARTMENT OF ECOLOGY AND THE ATTORNEY GENERAL, OR UNTIL ALL REVIEW PROCEEDINGS INITIATED WITHIN TWENTY ONE (21) DAYS FROM THE DATE OF SUCH FILING HAVE TERMINATED. see RCW 90.58.140 (5)(c).

7-11-18
Date

[Signature]
Signature of Hearing Examiner

THIS SECTION FOR DEPARTMENT OF ECOLOGY USE ONLY, IN REGARD TO A
SUBSTANTIAL DEVELOPMENT PERMIT WITH A CONDITIONAL USE OR VARIANCE

Date received by Department of Ecology _____

Approved _____ Denied _____

This substantial development permit with conditional use/variance is approved by the Department of Ecology pursuant to Chapter 90.58 RCW. Development shall be undertaken pursuant to the following additional terms and conditions:

Date

Signature of Authorized Department of Ecology Official